

**ADVISORY COMMISSION ON SPECIAL EDUCATION**

**MEETING MINUTES  
February 27-28, 2003**

<b>APPROVED</b> 3/28/03
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CALIFORNIA DEPARTMENT OF EDUCATION  
1430 N STREET, ROOM 1101  
SACRAMENTO, CA 95814

**Thursday, February 27, 2003**

**Commission Members Present**

Patty Boyle  
Don Burns  
Patricia Flores-Charter  
Catherine Conrado  
Catherine E. Garbacz, Vice-Chair  
Karla Geller

Angela Hawkins, Chair  
Janet Mangini  
Barbara R. Monroe  
Don Shalvey  
Jim Woodhead

**Commission Members Absent**

Linda Wyatt

**Student Member Present**

Kevin Verdi

**Student Member Absent**

Sean Rossall

**Legislative Members Absent**

Charles Poochigian, Senate Member

Fran Pavley, Assembly Member

**Governor's Office, Deputy of Education K-12, Liaison Absent**

Lynn Lorber

**State Board of Education Liaison Absent**

Robert Abernethy

**Department of Education Staff Present**

Dennis Kelleher, Staff Liaison

Stacy Michel, Commission Secretary

**Department of Education Staff Present**

Alice Parker, Executive Secretary  
Director, Special Education Division

**Department of Education Staff Absent**

Ronald S. Kadish, Director  
State Special Schools Division

**Thursday, February 27, 2003**

**CALL TO ORDER**

Chair Angela Hawkins called the meeting to order at 8:30 a.m., and Commissioners pledged allegiance to the flag. Roll was taken and a quorum was present.

**OPERATIONS & PLANNING (O & P) COMMITTEE REPORT**

Vice Chair Catherine Garbacz reported on the Operations and Planning meeting held February 26, 2003. Points of discussion were:

- Second draft of annual report with Mary Grady (2<sup>nd</sup> installment)
- Change in agenda: Friday at 2:30 p.m. will change to tiered Diploma instead of No Child Left Behind
- Change in time on agenda the Report by Angela Hawkins will end at 11:40 and the report by Patty Boyle will begin at 11:40 a.m.
- Karla discussed legislative visits and passed out bill information
- Fact sheet/ Commission Vision/goals was passed out
- Status of Sean Rossall (letter to find out why he hasn't attended ACSE in one year)
- New travel reimbursement request worksheets were passed out and discussed State Policy regarding Travel Reimbursements
- Received budget letter from Angela regarding request for Commissions to meet once per year due to budget crisis
- Catherine Garbacz will attend State Board Meeting in March and Don Shalvey will attend April Meeting

**COMMISSIONERS' REPORT**

Commissioner Angela Hawkins discussed budget crisis for San Diego County area and San Diego City Schools and reported that lay off notices have been given to 1,200 teachers. The Commissioners discussed the amount of forms/paperwork that goes into each Commissioner folder. Commissioner Catherine Conrado, Commissioner Jan Mangini and student member Kevin Verdi volunteered to take a look at the items in each folder to determine whether they will go into each folder every month.

Commissioner Angela Hawkins stated that the Commission Liaison Assignment Sheet will be discussed and updated. The liaison assignments can be accessed at

<http://www.cde.ca.gov/spbranch/sed/acse/acseassmnt>.

Commissioner Don Burns discussed AB 1010, which is a forgiveness loan program for teachers working to get a credential to work with visually impaired children. The funding is already there. Kevin Verdi volunteered to assist Don Burn with AB 1010.

**ACTION ITEM: Changes to Advisory Commission on Special Education (ACSE) By-Laws, Jim Woodhead, Commissioner**

*M/S/C 03-02-01*

**MOVE TO AMEND THE ADVISORY COMMISSION ON SPECIAL EDUCATION BY-LAWS AS FOLLOWS:**  
**Woodhead/Monroe**

The motion passed unanimously.

Commissioner Jim Woodhead presented the changes to the ACSE By-laws. Changes are:

Article II. Officers – pg 3

The Nominating Committee shall prepare ~~a (dual) slate of Nominees~~ *a ballot of nominees* which shall be communicated to the Commission members at least ten days prior the last scheduled meeting.

Article III. Meetings Section 5. Quorum

~~Eight of~~ *A majority of the currently appointed* voting members of the commission shall constitute a quorum.

**PRESENTATION: Legislative Update, Paul Hinkle, Consultant, California Department of Education**

Paul Hinkle discussed the major budget issues. 4 handouts were given. See appendix A for copy of text regarding Handouts # 1 and # 2. Handouts # 3 and # 4 outlined the major state and federal special education bills. See appendix B for Bill Assignment.

**The Commission recessed for meeting with Legislative Members at Capitol.**

**Legislative Debriefing on Capitol visits**

Commissioners discussed their visits to the legislature.

Commissioner Don Burns suggested that the commission meet at the capitol in the morning for the next meeting. Please see the March 2003 Agenda for the actual schedule of events.

Commissioner Jan Mangini has tentatively scheduled Superintendent Jack O'Connell to speak at the May Commission Meeting.

***M/S/C 03-02-02***

**MOVE THAT THE ADVISORY COMMISSION ON SPECIAL EDUCATION SUPPORT AB 1010 (YEE) AND THAT A LETTER OF SUPPORT BE SENT TO MR YEE'S OFFICE:  
Burns/Geller**

The motion passed unanimously.

**PRESENTATION: Education Benefits Review, Chris Drouin, Consultant, California Department of Education, and Ralph Scott, Administrator, California Department of Education**

The Special Education Division of the California Department of Education has been released from special conditions on the Individuals with Disabilities Education Act (IDEA) Part B grant. As a result, the Special Education Division (SED) has adjusted its monitoring processes to include increased emphasis on outcomes for students with disabilities (while retaining continued assessment of procedural items). To do this, SED has developed a new record review process that examines whether a student's program was reasonably planned to result in educational benefit. This educational benefit review is included in both the Coordinated Compliance Review (CCR) self review for Special Education and in the Department's Verification review processes. Essentially, a small team reviews three years worth of information from a student's record. The team lists the needs identified, key contents of the IEP (present levels of performance, goals, and services), and the outcomes achieved in each of the goal areas. For each of the three years, the team evaluates whether there is a clear relationship between the needs identified, the goals established, the services provided to support those goals. Then the team compares one year to the next in order to determine if goals and services were adjusted in response to progress (or the lack thereof). SED reported that feedback from districts is positive. SED plans to enlist the aid of the National Center for Focused Monitoring to evaluate the process and make refinements for future years.

**REPORT: Special Education Division, Dr. Alice Parker, Director of Special Education, California Department of Education**

Commissioner Barbara Monroe presented Alice Parker with a “10 year pin” from CARS+. The federal budget for this year has passed and there was an increase to IDEA of 1.4 billion dollars. The guidelines for the alignment of No Child Left Behind (NCLB) came out. The House and the Senate are both working on their own language for the reauthorization of IDEA. The proposed language for learning disability has changed. The new language is a three-tiered approach. Tier 1 is in kindergarten and 1st grade and would be a universal screening. For those who are having difficulty in learning and reading, they would have enriched instruction. For those who do not improve, there is a tier 2. In 1<sup>st</sup> and 2<sup>nd</sup> grade, those children are assessed more closely, and receive small group scientifically based instruction. From that group, those who do not learn would then be moved to assessment for special education eligibility. Alice feels there are good issues in this model, such as intervention and support for struggling readers. However, based on NCLB, those children who did not benefit from the scientifically based instruction are placed in special education and are then placed back into scientifically based research proven strategies. It causes the question of incompatible concept to be proficient by 2014 for all groups, in particular, those who are difficult to teach to read.

A group from Washington D.C., (2 people from the United States Department of Education, and 3 peer reviewers) came to California looking at the California workbook for the No Child Left Behind Act. The workbook is on the California Department of Education’s web site at <http://www.cde.ca.gov/oep/nclb/workbook.pdf>

The Special Education Division will be moving to 1430 N Street sometime between April 15 and May 1.

**REPORT: Special Education Administrator of County Offices (SEACO) Activities, Larry Belkin, Chief, Division of Special Education, orange county Department of Education**

The next SEACO meeting is scheduled for March 21-22, 2003 at the Doubletree Hotel in Sacramento. Presentations topics include Behavioral Support Systems, After-School Programs, Child Care/Day Care Partnerships for Special needs and Specialized Healthcare updates. The SEACO Website continues to be updated. The website can be accessed by visiting [www.ccesa.org](http://www.ccesa.org). The SEACO By-laws were adopted by the Student Programs and Services Steering Committee (SPSSC) on January 9, 2003. SEACO extends an invitation to Dr. Alice Parker to attend regular scheduled SEACO meeting to enhance communication with CDE.

**REPORT: Special Education Local Plan Area (SELPA) Activities, Pamela Ptacek, Director, San Mateo County SELPA**

Pamela discussed the IDEA Reauthorization and pointed out topics of:

- Redefinition of Free Appropriate Public Education (FAPE)
- Mandatory full funding of IDEA at 40% of the per pupil expenditures
- Accountability tied to sufficient resources and not separate from No Child Left Behind accountability
- Acknowledge quality public school programs and oppose school choice, especially those options that divert public funds to support private education
- Support dispute resolution activities and limit language that encourages litigation.
- Reduce regulatory burden and emphasis on compliance
- Simplify IEP contents and procedures
- Support the development of a simplified research-based assessment model for determination of eligibility for specific learning disabilities and language impairments that is piloted and its results analyzed before implementation
- Mandate federal interagency coordination of resources and require other agencies to contribute their share of funding for services to children with disabilities

Waiver for Maintenance of Effort

- SELPA has concern that a waiver could continue to divert future federal fund increases from LEAs.

AB 328 Mullin – Special Education Funding Bill

- SELPA is actively supporting this bill that would ensure future increases in federal funds would go to LEAs to support programs for students with disabilities.

AB 2726

- SELPA is continuing to work with Mental Health to strategize on solutions for the funding of AB 3632 services to students with emotional disturbance.

Legislative Information Day

- The SELPA Organization will hold this event on April 30, 2003. CAC representatives join with SELPA and meet with legislators on bills affecting special education

**PRESENTATION: Overview of the Medical Investigation of Neurodevelopmental Disorders (M.I.N.D.) Institute and Research into the Surge in Numbers of Children Diagnosed with Autism Spectrum Disorders, Kevin Duggan, Chief Advancement Officer, M.I.N.D. Institute**

Kevin Duggan showed a brief video about the M.I.N.D. Institute. The M.I.N.D. Institute is located in Davis, CA and is a unique collaboration of extremely talented researchers, clinicians, educators, parents, and advocates. The vision statement states “it is a collaborative international research center committed to the awareness, understanding, prevention, care, and cure of neurodevelopmental disorders.” The mission statement reflects the vision in which they wish to “find effective treatments and ultimately a cure for autism and other neurodevelopmental disorders.”

For more information about the M.I.N.D institute please refer their website located at [www.mindinstitute.org](http://www.mindinstitute.org)

As there was no further business, the meeting was adjourned at 5:00 p.m.

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**Friday, February 23, 2002**

**Commission Members Present**

Patty Boyle	Janet Mangini
Don Burns	Barbara Monroe
Patrica Flores-Charter	Catherine Conrado
Jim Woodhead	Don Shalvey
Catherine E. Garbacz, Vice-Chair	
Karla Geller	
Angela Hawkins, Chair	

**Commission Members Absent**

Linda Wyatt

**Student Members Present**

Kevin Verdi

**Student Members Absent**

Sean Rossall

**Legislative Members Absent**

Charles Poochigian, Senate Member

Fran Pavley, Assembly Member

**Governor's Office, Deputy of Education K-12, Liaison Present**

Lynn Lorber

**State Board of Education Liaison Absent**

Robert Abernethy

**Department of Education Staff Present**

Dennis Kelleher, Staff Liaison

Stacy Michel, Commission Secretary

**Department of Education Staff Absent**

Ronald S. Kadish, Director  
State Special Schools Division

Alice Parker, Executive Secretary  
Director, Special Education Division

**Friday, February 28, 2002**

**CALL TO ORDER**

Chair Angela Hawkins called the meeting to order at 8:30 a.m. Commissioners pledged allegiance to the flag. Roll was taken and a quorum was present.

**STUDENT MEMBERS' REPORTS**

Kevin Verdi is still active in many activities.

**PRESENTATION: California High School Exit Exam (CAHSEE) Overview, Impact, and Resources, Jill Larson, Consultant, California Department of Education**

Jill Larson presented an overview of the California High School Exit Examination (CAHSEE). Topics included: strands tested in the ELA and Math portions, special education pass rates compared to general education pass rates, the uses of accommodations and modifications, and resources available online. All students who intend to earn a high school diploma must take the exam. Individualized Education Program (IEP) teams are encouraged to become familiar with the "Special Education Accommodations/Modifications for California Statewide Assessments" matrix in order to identify those testing variations that are most appropriate for each student. As of January 1, it is important that each district develop a waiver policy for the requirement to pass the CAHSEE for students who use modifications. Basic requirements are outlined on the CAHSEE web site. To help students who have not yet passed one or both portions of the exam, schools and districts are encouraged to make use of online resources that can be found on the CAHSEE web site.

**Public Input**

John Kassel, liaison to California Teachers Association (CTA), stated that CTA's budget priorities include special education funding.

**PRESENTATION: Tiered Diploma, Pat Moore, Director of Instruction, California School for the Deaf, Fremont**

Pat Moore discussed a proposal for a Tiered Diploma System. Her handout stated that the "California School for the Deaf (CSD) is committed to raising the standards for all students and assisting them in reaching their maximum potential. Preparing students for post-secondary programs and employment is the heart of our program. What is the reality of having a one diploma system for Deaf/HH students and many other students in special education and general education?" A few points of her discussion were:

- More students will have fewer employment opportunities, as many companies require a high school diploma. It is challenging in the present system for DHH students to find employment that matches their knowledge and skill level. The unemployment and underemployment of deaf adults continues to be a staggering problem. CSD has done an excellent job preparing students for employment and following up on graduates to assist them in being successful in implementing their transition plans. If these students don't have diplomas, they will not be able to support themselves.
- A large percentage of students who will not pass the HSEE will apply for Social Security benefits or go on welfare instead of obtaining employment. This will add to the budget deficit in California and make the students feel they have nothing to contribute to society. The staff at the California School for the Deaf as in other special education and general education programs have dedicated themselves to making the students feel proud about the contributions they can make, proud about their abilities, proud about their identity, and proud to be a U.S. citizen. A tiered diploma system is needed so the majority of students who complete high school courses of study can have productive lives and be, contributing members to society. Legislation must be passed that allows students who complete a high school course of study to receive a diploma. Example of a tiered diploma system:
- Students who pass the High School Exit Exam and complete a high school course of study receive a diploma with a seal of recognition on the diploma and transcript indicating the student graduated with distinction.

- Students who pass a high school course of study receive a diploma.

Our mission needs to be to continue to raise standards and expectations for all students so all graduates will have the opportunity to be successful in either post-secondary education programs or in maintaining employment. Our regard for all students needs to be equal. Many children will be left behind with the present system.

**M/S/C 03-02-03**

**MOVE THE COMMISSION SUPPORT THE CONCEPT OF A TIERED DIPLOMA AND  
SEEK AN AUTHOR TO DRAFT LEGISLATION TO THAT EFFECT:  
Woodhead/Flores-Charter**

The motion passed unanimously.

**Commissioner Discussion on the CAHSEE and High School Diplomas**

**PRESENTATION: Update on Special Education Credentialing, Jan Jones-Wadsworth, Consultant,  
Commission on Teacher Credentialing (CTC)**

Jan Jones-Wadsworth discussed the current and proposed assignment options for special education credential authorization. See chart below.

<b>Type of Credential</b>	<b>Current Special Education Authorization</b>	<b>Proposed Special Education Assignment Option</b>
<b>General</b>	<b>Grades K-12</b> for all special education area (i.e. mentally retarded, deaf, blinds, visually and orthopedically handicapped)	<b>Preschool</b> for mild/moderate and moderate/severe areas (i.e. mentally retarded) <b>Ages birth to preschool</b> for low incidence area (i.e. deaf, blind, visually and orthopedically handicapped)
<b>Standard</b>	<b>Grades K-12</b> for all special education areas (i.e. mentally retarded, deaf, blinds, visually and orthopedically handicapped)	<b>Preschool</b> for mild/moderate and moderate/severe areas (i.e. mentally retarded) Ages birth to preschool for low incidence areas (i.e. deaf, blind, visually and orthopedically handicapped)
<b>Ryan Specialist</b>	<b>Grades preschool, K-12 and adults</b> for all special education areas (communication, Learning, physically, severely, and visually handicapped)	<b>Ages birth to Pre-K</b> for low incidence area (communication, physically, and visually handicapped)
<b>Education Specialist</b>	<b>Grades K-12</b> for mild/moderate and moderate/severe <b>Ages Birth to Pre-K</b> for mild/moderate and moderate/severe if holds the ECSE <b>Ages birth to age 22</b> for low incidence areas (deaf and hard of hearing, visually and physically impaired)	<b>No Change</b>

For general information on Teacher Credentialing please call (888) 921-2682 or visit their website at [www.ctc.ca.gov](http://www.ctc.ca.gov).



**REPORT: Issues from the Low Incidence Disabilities Advisory Committee (LIDAC), Angela Hawkins, Commissioner**

Commissioner Angela Hawkins attended the LIDAC meeting in San Diego. LIDAC discusses many of the same issues as the Advisory Commission on Special Education. One item of discussion was low incidence disability funds. Angela also suggested to attend any LIDAC meeting that may be in your area. The next meeting date is April 26, 2003 at The School for the Blind in Fremont. (Is this correct?)

**REPORT: Issues from the Institutes of Higher Education (IHE) Task Force on the Recruitment, Preparation, and Retention of Special Education Teachers, Patty R. Boyle, Commissioner**

Task force met and in the last two meeting divided up into 3 different workgroups, recruitment of special education teachers, preparation of special education teachers, and retention of special education teachers. The overall strategy policy was handed out to each commissioner. Commissioners were asked to look at each packet and were asked to provide revisions and recommendations so that these packets can go to the Stakeholder meeting at the end of April.

As there was no further business, the meeting was adjourned at 11:15.

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## APPENDIX A

Paul Hinkle Handout # 1

[http://www.lao.ca.gov/analysis\\_2003/education/ed\\_13\\_specialed\\_anl03.htm#\\_Toc32830739](http://www.lao.ca.gov/analysis_2003/education/ed_13_specialed_anl03.htm#_Toc32830739)

### Special Education - Budget Threatens Federal Funding

We recommend the State Department of Education report at budget hearings on the likelihood that the federal Department of Education would grant California a waiver of the special education maintenance of effort requirements for 2003-04. The Governor's budget proposes \$2.66 billion from the General Fund for special education in 2003-04, a reduction of \$52.1 million from the revised 2002-03 estimate of \$2.71 billion. The state supports special education costs with three sources of funding: General Fund, local property taxes, and federal funds. The General Fund covers the program's funding needs that are not met by federal funds or property taxes. In our discussion of the 2002-03 budget reductions earlier in this chapter, we identified a federal maintenance-of-effort (MOE) problem created by the deferral of special education payments. Federal law contains an MOE requirement that states must meet to qualify for federal funding. This requirement mandates that state spending on special education must not decrease from the prior year as a condition of receiving federal funds. State spending for the purposes of the MOE is defined as state General Fund support and local property taxes going to special education. The proposed 2003-04 special education budgets presents two additional issues. First, state funds proposed by the budget fall \$28.5 million short of meeting the MOE. Depending on the outcome of discussions with the federal government, this reduction could threaten a portion of our federal funds. Second, the budget includes \$21 million in General Fund support to restore 2002-03 funds resulting from the Governor's across-the-board reduction. To date, the Legislature has not adopted this reduction, and therefore the restoration appears unnecessary. As a result, the Legislature could redirect these funds to other Proposition 98 priorities. State Should Seek a Federal Waiver. According to the Department of Finance, the administration is considering two options to address the MOE issue: (1) apply for a federal waiver to allow California to continue receiving federal funds despite the fall in state funding for special education and (2) increase General Fund support for the program in the May Revision by \$28.5 million. California would appear to have a case for a waiver. The budget proposes to fully fund the projected need for special education funding (although without a cost-of-living adjustment), which would assure the federal government that student services as identified in each student plan would be provided. In addition, the state would have maintained its commitment to students at a time almost all other budgets are being reduced due to the state's fiscal crisis. The waiver option is worth exploring given the savings it would generate. Therefore, we recommend the State Department of Education discuss the possibility of a waiver of MOE with the federal department and report to the budget committees during hearings on California's chances of obtaining a waiver. If the waiver appears likely, the Legislature could not only recognize the \$28.5 million in savings assumed in the budget, but also reduce the special education appropriation by \$21 million. If a waiver does not appear likely, the Legislature will need to increase special education funding by the \$28.5 million shortfall, and redirect the \$21 million the Governor provided to restore the across-the-board cut to other special education purposes.

Paul Hinkle Handout # 2 <http://www.ed.gov/PressReleases/02-2003/02252003.html>

Paige Releases Principles for Reauthorizing Individuals with Disabilities Education Act (IDEA)

FOR RELEASE: February 25, 2003    Contact: Jim Bradshaw, (202) 401-1576

U.S. Secretary of Education Rod Paige today unveiled a set of principles to guide the Education Department in its work toward seeking reauthorization of the Individuals with Disabilities Education Act (IDEA), the landmark statute that provides for the education of America's 6.5 million students with disabilities.

"Every child in America deserves the highest-quality education, including our children with disabilities," Secretary Paige said. "Our goal is to align IDEA with the principles of No Child Left Behind by ensuring accountability, more flexibility, more options for parents and an emphasis on doing what works to improve student achievement. I look forward to working with Congress in the weeks and months ahead to achieve these goals."

The act, which comes up for reauthorization before Congress this year, guarantees a free appropriate public education in the least restrictive environment to students with disabilities. At the time it was passed by Congress in 1975, more than a million students with disabilities were warehoused in institutions.

Today, many students with disabilities are educated in regular classrooms alongside their nondisabled peers. Following is the text of the principles that will guide the department's work toward reauthorizing the act:

#### PRINCIPLES FOR REAUTHORIZING THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT

Since 1975, the Federal government has played an important role in ensuring that children with disabilities receive the best possible education through the Individuals with Disabilities Education Act (IDEA). President Bush's sweeping reforms in the No Child Left Behind Act made fundamental improvements in elementary and secondary education to enhance the education of children with disabilities by supporting accountability for results, expanded parental choice, a focus on what works, and increased local flexibility. The President believes the next step for achieving excellence in the education of children with disabilities is significant reform of IDEA.

In 2001, the President created the Commission on Excellence in Special Education. After 13 meetings and hearings across the country, the Commission delivered to the President its recommendations for improving special education and reforming IDEA. President Bush believes the Commission's recommendations should serve as the starting point for reauthorization. The President intends to work with the Congress to renew IDEA based on the following principles:

##### 1. STRONGER ACCOUNTABILITY FOR RESULTS

Children with disabilities must be considered as general education students first. Under No Child Left Behind (NCLB), states are responsible for implementing a single accountability system for all students based on strong academic standards for what every child should know and learn, including children with disabilities. IDEA must incorporate the NCLB principles of assessment for children receiving special education and align with NCLB accordingly to enhance state efforts to improve student achievement.

Consistent with those principles, IDEA should ensure that students with disabilities have access to and make progress in the general curriculum, and are appropriately included in state accountability systems. IDEA must move from a culture of compliance with process to a culture of accountability for results. Consequently, IDEA eligibility and compliance paperwork requirements at the federal level must be streamlined and focused on improving results for students with disabilities. In return for that rigorous accountability, states and localities will receive significant annual increases in IDEA funding. This funding would be on a discretionary basis.

## 2. SIMPLIFY PAPERWORK FOR STATES AND COMMUNITIES AND INCREASE FLEXIBILITY FOR ALL

IDEA guarantees the availability of a free appropriate public education for children with disabilities. Yet the law itself often hampers effective education by requiring vast amounts of paperwork and substantial procedural requirements for teachers and administrators. IDEA should be simplified and unnecessary paperwork eliminated by focusing on results. This will increase the time spent by teachers on teaching and minimize time currently spent on procedural and non-instructional tasks while still preserving the fundamental rights of students with disabilities. States should be allowed to submit plans to the Department to streamline and simplify paperwork while demonstrating compliance.

States and localities should have more flexibility to use federal special education money to provide direct services for students with disabilities. This will permit states, for example, to create intrastate risk pools for the highest cost children with disabilities, or to increase professional development opportunities for teachers, paraeducators, other service personnel and administrators. In addition, the current process for states to demonstrate their eligibility to receive IDEA funds must be streamlined and simplified.

Meaningful involvement for parents of students with disabilities should also include earlier and easier access to alternative dispute resolution. IDEA should expand and improve upon existing dispute resolution processes through a variety of strategies including improved mediation practices; allowing mediation to be requested at any time during the dispute resolution process; and permitting the use of voluntary binding arbitration for both parents and districts. The law should also simplify the complexities of IDEA's discipline requirements. Changes would improve school safety while preserving protections for students with disabilities.

## 3. DOING WHAT WORKS

IDEA should target federal education dollars to implement research-based practices that have been proven to help students with disabilities learn. Half of the more than 6 million children currently served under IDEA have learning disabilities and about 90 percent of them exhibit reading difficulties as their primary demonstration of their specific learning disability. IDEA should ensure the revision of outdated regulations that result in the misidentification of students as having disabilities because they did not receive appropriate instruction (in areas such as reading) in their early years. This will help schools focus on identification practices that promote earlier intervention, dramatically reducing the misidentification of students with learning disabilities.

More broadly, IDEA should ensure that schools, local education agencies, state education agencies and the Federal Department of Education quickly adopt research and evidence-based practices. OSERS research and training activities should be aligned with the work of the Department's Institute of Education Sciences. Additionally, information should be provided to families and teachers on effective programs based on rigorous research, including requiring the federally funded parent training centers to educate parents about effective research that improves results for students with disabilities. IDEA should also reflect the research principles outlined by the President's Commission on Excellence in Special Education while adhering to the standards for high quality research established by the Education Sciences Reform Act of 2002.

## 4. INCREASE CHOICES AND MEANINGFUL INVOLVEMENT FOR PARENTS

A core principle of IDEA is identifying and serving all children with disabilities regardless of the type of school they attend--traditional public, public charter, private, and parochial. IDEA currently empowers parents of children with disabilities to participate in the selection of schools and services for their children and where those services will be provided. For instance, IDEA permits parents to move their child out of

a special education program to the private program of their choice if an IEP team agree the child would be more appropriately served in such a program.

Yet too often these choices for students with disabilities are limited by arbitrary decisions. IDEA should expand opportunities to help parents, schools, and teachers choose appropriate services and programs for children with disabilities, including the charter and private schools of their choice. States should then measure and report academic achievement results for all students benefiting from IDEA funds, regardless of what schools they choose to attend. Note to editors: For more information about IDEA, visit <http://www.ed.gov/offices/OSERS/OSEP/>.

## APPENDIX B

### BILL ASSIGNMENTS

Bill #	Assigned to:	Recommendation
AB 298	A. Hawkins/K. Geller	
AB 300		
AB 356	J. Woodhead/C. Conrado/B. Monroe	Watch
AB 328	P. Boyle	
AB 467	D. Burns	
AB 490	D. Shalvey	
AB 615	D. Shalvey	
AB 662	D. Burns	
AB 780	P. Flores-Charter	
AB 956	J. Woodhead	
AB 1017	C. Garbacz/D. Burns	
AB 1038	J. Mangini/C. Garbacz	
AB 1336	C. Conrado	
AB 1337	A. Hawkins	
AB 1564	P. Flores-Charter	
AB 1575	P. Boyle	
AB 1010	D. Burns	
SB 6	L. Wyatt	
SB 145	J. Mangini	
SB 187	P. Boyle	
SB 636	D. Shalvey	
SB 842	D. Burns	
S 4	A. Hawkins	
S 8	J. Mangini/J. Woodhead	
S 133	J. Mangini/J. Woodhead	
S 110	B. Monroe	
HR 398	L. Wyatt	
HR 464	P. Boyle	
HR 490	D. Burns/C. Garbacz	
HR 647	D. Burns	
HR 823	A. Hawkins	
HR 863	C. Conrado	
HR 864	A. Hawkins	
HR 79	P. Flores-Charter	
HR 1094	C. Conrado	
HR 1306	D. Burns	
HR 1350	L. Wyatt/P. Flores-Charter	
HR 1398	C. Conrado	